

E 'Specially' DECS

A weekly email update from the Division of Exceptional Children

Services

to Directors of Special Education on current issues, information and events.

October 20, 2004 - Volume 1, Number 24

Question of the Week:

Dyslexia, Part II - Thanks to Nancy LaCount for furnishing the question and answer from her files.

I am an LBD teacher for an elementary school. I am emailing you about a concerned parent I have talked with today. Her son receives reading comprehension services for learning disabilities; however, the parent has insisted for years that her son is dyslexic and not LD.

Recently the parent has received two conflicting pieces of information. She was told that dyslexia is recognized as a disability in Kentucky and the district is required to test students for dyslexia and also offer special materials and teaching methods. The district has told the parent that dyslexia is not identified as a separate disability in Kentucky and that special testing cannot be paid for with district funds. Who is correct? I can give you additional information about the child if you need it.

Answer:

First, dyslexia is a subtype of specific learning disabilities under IDEA '97 and has been since the passage of Public Law 94-142. IDEA '97 includes conditions such as "perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia" in the definition of specific learning disabilities. Kentucky has recognized dyslexia as a subtype of learning disabilities at least since 1975. Dyslexia is a neurological language based disability which impacts reading just like dysgraphia is a neurological disability which impacts the area of writing (written expression) and dyscalculia which impacts the area of mathematics.

When you look at the IDEA definition and the accompanying regulations for learning disabilities and Kentucky's definition and current regulations, you will see how the language of IDEA recognizes dyslexia as a subtype of learning disabilities by including it in the definition in the law, then including in the regulations the language in 34 CFR 300.541(criteria for determining the existence of a specific learning disability). In this section, you find the seven areas of eligibility (i.e., oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematics calculation, and mathematics reasoning). Therefore, schools under federal and state statutes and laws use the broader category of specific learning disabilities. Dyslexia is also a category under Section 504.

Schools need to have an understanding that dyslexia is part of learning disabilities when talking to parents, selecting evaluation instruments to determine eligibility and determining specially designed instruction/instructional strategies and methods for teaching. A thorough comprehensive evaluation should provide an ARC with sufficient information to make these decisions. Therefore, if a comprehensive evaluation has been conducted in the area of

reading and language, schools will identify most children with dyslexia who qualify for services either under IDEA or 504. For young children specifically, schools would assess phonological processing and phonemic awareness as part of the comprehensive evaluation. There is much information about effective strategies for teaching reading in the research.

I would want to know more about the parent's concern. Is the child not making the progress the parent expects, given the instructional strategies now being used in the classroom? Are good research-based reading strategies being used that the teacher could show the parent how these strategies have been effective with children with learning disabilities, specifically children with dyslexia. Is the teacher(s) grounded in effective strategies, the research on learning disabilities, reading, language, and a knowledge base regarding dyslexia? Beyond the issues of the label, what are the parent's real concerns for the education of her child?

There is an issue if the parent was told that special testing could not be paid for by the district, since dyslexia is in the definition of specific learning disabilities. However, the bigger question is, has the district conducted a comprehensive evaluation based on federal and state statutes and laws? Does the evaluation include sufficient information to determine the child's disability and the need for specially designed instruction and related services? If the parent presented information that the child has dyslexia, how did the ARC deal with this information? The parent needs to understand all of the requirements for evaluation, which would be inclusive of any information the parent presents. However additional information is usually needed, in order to comply with the requirement of conducting a comprehensive evaluation.

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The Question of the Week will be an on-going feature of E 'Specially' DECS. If you have a special education question that you believe would be of general interest to other Directors of Special Education, email your suggestion to Sammie Lambert at slambert@kde.state.ky.us

Meeting of the Special Education Coop's Due Process Consultants Work Group

Special Education Cooperative consultants who specialize in the area of due process formed a work group last spring to discuss the many issues surrounding due process and the IDEA. The September meeting of the group attracted 14 participants, which represented all of Kentucky's special education coops and the Division of Exceptional Children Services.

The group acts as a means for increasing channels of communication between special education coop consultants and KDE. It also functions as a "Community of Practice" where people with similar issues and concerns have a structured way to present issues and obtain advice. As part of their work, the group hopes to develop practices that will aid their local school districts in IDEA compliance issues. Additionally, the group has offered questions for use in E 'Specially' DECS Question of the Week

The next meeting of the Due Process Consultants' work group will be on November 3, 2004 from 9:30 AM until 2:30 PM at OVEC's office in Shelbyville. Contact Kathy Eversole at Upper Cumberland Special Educational Cooperative (kathyeversole@alltel.net) for additional details.

Contact Information for E 'Specially' DECS

- Sammie Lambert at slambert@kde.state.ky.us for information on newsletter content.

- Chris Thacker at 502 564-4738 for technical difficulties in receiving E 'Specially' DECS.

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